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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

DUPRAY

Serial No.: 09/176,587

Filed: October 21, 1998

Atty. File No.: 1005-DJD

For: "A METHOD AND SYSTEM FOR
USING MULTIPLE EVALUATORS
FOR WIRELESS LOCATION AND
OTHER APPLICATIONS"

Assistant Commissioner for Patents
Washington, D.C. 20231

) Group Art Unit: 3662
)
) Examiner: Dao Phan
)
)
) PETITION TO REVIVE
) UNINTENTIONALLY ABANDONED
) APPLICATION UNDER 37 CFR 1.137(b)
)
)

) "EXPRESS MAIL" LABEL NUMBER: EL 767782643 US
DATE OF DEPOSIT: DECEMBER 17, 2002

) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO THE COMMISSIONER OF PATENTS,
WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: Constance Bennett

SIGNATURE: Constance Bennett

Dear Sir:

Applicant hereby petitions for revival of the above-identified U.S. patent application for failure to pay the issue fee, and states that the non-payment of the issue fee was unintentional.

The issue fee for the above-identified U.S. patent application was due on October 29, 2002.

The issue fee had previously been paid, on May 25, 2001. After the Examiner issued the Notice of Allowability and the Notice of Allowance and Issue Fee Due on July 29, 2002, Applicant determined that two supplemental Information Disclosure Statements had not been considered and contacted the Examiner. Subsequently, the Examiner issued a supplemental Notice of Allowability.

Applicant incorrectly assumed that, in addition to a new Notice of Allowability, there would be a new Notice of Allowance and Issue Fee Due and thus a new, later issue fee payment deadline. The fact that this assumption was incorrect was realized by Applicant only upon receipt of the Notice of Abandonment mailed by the Patent Office on December 9, 2002.

Application No. 29/140,467

Accompanying this Petition is: (1) a Request for Continued Examination and corresponding fee therefor; (2) an additional supplemental Information Disclosure Statement (including Form PTO-1449); (3) the fee for unintentionally delayed payment pursuant to 37 C.F.R. §1.17(m) of \$640.00. Since the issue fee had indeed been earlier paid, it is requested, if possible, that the fee for unintentionally delayed payment be waived.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

No additional fees are due. In the event that other fees are required, the Examiner is urgently requested to contact the Applicant by telephone at the number given below.

Respectfully submitted,

By:

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Date: Dec. 17, 2002